

UNITED STATES BANKRUPTCY COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK

WELLSPRING CAPITAL MANAGEMENT,
LLC; WELLSPRING CAPITAL PARTNERS
IV, L.P.; WCM GENPAR IV, L.P.; WCM
GENPAR IV GP, LLC,

Movants,

vs.

JOHN F. BARRY III AND M. GRIER
ELIASEK,

Respondents.

Adv. Pro. Pending in the United States
Bankruptcy Court for the District of South
Carolina (No. 19-80071-dd)

S.D.N.Y. MISC. NO. 22-00400

**MOTION TO EXPEDITE HEARING ON MOTION TO COMPEL DEPOSITIONS AND
SUBPOENA COMPLIANCE BY JOHN F. BARRY III AND M. GRIER ELIASEK**

The Movants, Wellspring Capital Management, LLC; Wellspring Capital Partners IV, L.P.; WCM Genpar IV, L.P.; and WCM Genpar IV GP, LLC (collectively the “Wellspring Parties”) respectfully request that the Court schedule an expedited hearing on their Motion to Compel Depositions and Subpoena Compliance by John F. Barry III and M. Grier Eliasek [Doc 1]. The basis for this request is that the subpoena served on Mr. Barry has a response date of Friday, May 27, 2022, the subpoena served on Mr. Elisasek has a response date of Tuesday, May 31, 2022, and the deadline for completion of fact discovery in the underlying Adversary Proceeding pending in South Carolina is May 31, 2022.

If this request is granted and the Court’s schedule permits, the Movants are available to participate in a telephonic or video hearing on Wednesday, May 25, 2022 at 10:00 am.

The Movants have made a good faith effort to resolve the dispute with opposing counsel consistent with Local Rule 7007-1(a), but such efforts have not resulted in any agreement to date.

This the 20th day of May, 2022.

/s/ Richard S. Mandaro
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